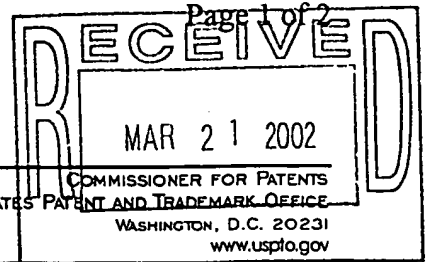




UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,313	12/07/2001	Mark O. Worthington	459492-3

Donald Bollella, Esq.
LEGAL DEPARTMENT
Burstein Technologies, Inc.
163 Technology Drive Suite 200
Irvine, CA 92618



CONFIRMATION NO. 7926

FORMALITIES LETTER



Date Mailed: 03/14/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
James R. Norton
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

04/03/2002 ADSMAN1 00000033 501781 10005313

01 FC:205 65.00 CH

*A copy of this notice **MUST** be returned with the reply.*

Seiam

I certify that this document was submitted to the U.S. Patent and Trademark Office using U.S. Express Mail # EL923484845US
Sandra Bridges
Print Name [Signature]
Signature _____ Date March 27, 2002

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

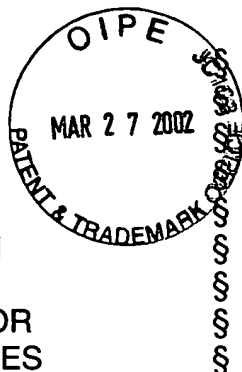
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Worthington, et al.

Serial No.: 10/005,313

Filed: December 7, 2001

For: OPTICAL DISCS FOR
MEASURING ANALYTES



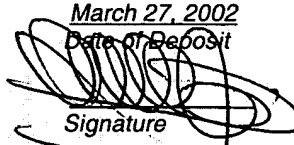
Art Unit: N/A

Examiner: N/A

Attorney Docket No.:
BTI2 00103001(USP8)US

RESPONSE TO NOTICE TO FILE MISSING PARTS OF A
NON-PROVISIONAL APPLICATION FILED UNDER 37 CFR 1.53(b)

Commissioner for Patents
Washington, D.C. 20231

I Certify that this document was submitted to the U.S. Patent and Trademark Office using U.S. Express Mail under 37 C.F.R. § 1.10	
<u>EL923484845US</u>	<u>March 27, 2002</u>
Express Mail Label Number	Date of Deposit
<u>Sandra Bridges</u>	
Print Name	Signature

Sir:

In response to the Office Action mailed on March 14, 2002, Applicant respectfully submits herewith the declaration with inventor signature from James R. Norton as indicated. Applicant requests that this declaration be entered accordingly.

A copy of the original Notice to File Missing Parts of Non-Provisional Application is also attached hereto.

The Commissioner has been authorized to charge or credit any fees connected with this communication in the Fee Transmittal Form PTO/SB/17 submitted herewith. A duplicate copy of this Form PTO/SB/17 is enclosed.

Respectfully submitted,

Date:

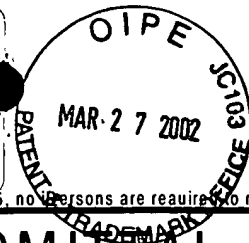
March 27, 2002

Donald Bollella
Reg. No. 35,451

BURSTEIN TECHNOLOGIES, INC.
163 Technology Drive, Suite 200
Irvine, CA 92618
(949) 453-1800

DB:ah

P:\Patprose\Dockets\BTI2\001030\USP8\US\com01_msgparts.doc



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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **65.00**

Complete if Known

Application Number	10/005,313
Filing Date	December 7, 2001
First Named Inventor	Mark O. Worthington
Examiner Name	N/A
Group Art Unit	N/A
Attorney Docket No.	BT12 00103001(USP8)US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number **50-1781**
Deposit Account Name **Burstein Technologies, Inc.**

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) **65.00**

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid
Total Claims Independent Claims **20** - **3** = **17** X **3** = **51**
Multiple Dependent **1** = **1**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **51.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

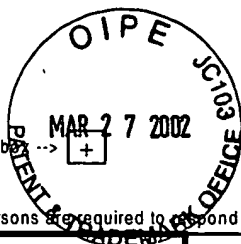
SUBTOTAL (3) (\$) **65.00**

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Donald Boffella, Esq.	Registration No. (Attorney/Agent)	35,451
Signature	<i>[Signature]</i>	Telephone	(949) 453-1800
		Date	March 27, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box -->



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/005,313
Filing Date	December 7, 2001
First Named Inventor	Mark O. Worthington
Group Art Unit	N/A
Examiner Name	N/A
Total Number of Pages in This Submission	Attorney Docket Number
	BTI2 00103001(USP8)US

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): _____
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Donald Bollella, Esq. Reg. No. 35,481
Signature	
Date	March 27, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: **March 27, 2002**

Typed or printed name	Sandra Bridges
Signature	
Date	March 27, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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March 27, 2002



VIA EXPRESS MAIL

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No.: 10/005,313
Filed: December 7, 2001
Entitled: OPTICAL DISCS FOR MEASURING ANALYTES
Inventors: Worthington, et al.
Our File No.: BT12 00103001(USP8)US

Dear Sir:

Enclosed for filing in the above-referenced application are the following documents:

1. Cover Letter
2. Transmittal Cover Sheet (Form PTO/SB/21)
3. Fee Transmittal with Authorization to Charge Deposit Account No. 50-1781
4. Response to Notice to File Missing Parts
5. Executed Declaration and Power of Attorney
6. Return Copy of Notice
7. Associate Power of Attorney
8. Certificate of Express Mail No. EL923484845US dated March 27, 2002
9. Return Postcard

Please indicate on the enclosed postcard the date of receipt of the enclosed materials and mail this pre-paid postcard to acknowledge receipt of this transmittal.

Very truly yours,

Donald Bollella
Chief Patent Counsel
Registration No. 35,451

DB:ah
Encl.

I Certify that this document was submitted to the U.S. Patent and Trademark Office using U.S. Express Mail under 37 C.F.R. § 1.10	
EL 923484845US	March 27, 2002
Express Mail Label Number	Date of Deposit
Sandra Bridges	
Print Name	